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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

MAY 2 3 2007

DECLARATION FOR PATENT APPLICATION

As below named inventor, we hereby declare that:

Our residence, post office address and citizenship are as stated below next to my name.

We believe we are the original, first inventors of the subject matter which is claimed and for which a patent is sought on the invention entitled:

DIAGNOSTIC AND THERAPEUTIC TREATMENTS RELATED TO MITOCHONDRIAL DISORDERS the specification of which was filed on May 12. 2004 and assigned Serial No. 10/556653

In the event that the filing date and/or Application No. are not entered above at the time we execute this document, and if such information is deemed necessary, we hereby authorize and request our attorneys/agent(s) at BERLINER & ASSOCIATES, to insert above the filing date and/or Application No. of said application.

We hereby state that we have reviewed and understand the contents of the above identified specification, including the claims, as amended by an amendment, if any, specifically referred to herein.

We acknowledge the duty to disclose all information known to me that is material to patentability in accordance with Title 37, Code of Federal Regulations, § 1.56.

FOREIGN PRIORITY CLAIM

X no such foreign applications have been filed

We hereby claim foreign priority benefits under Title 35, United States Code § 119(a)-(d) of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

such foreign application have been filed as follows:	
EARLIEST FOREIGN APPLICATION(S), IF ANY FILED W (6 MONTHS FOR DESIGN) PRIOR TO THIS U.S. APPLICA	/ITHIN 12 MONTHS AȚION: N/A
ALL FOREIGN APPLICATION(S), IF ANY FILED MORE	THAN 12 MONTHS

CLAIM FOR BENEFIT OF EARLIER U.S. PROVISIONAL APPLICATIONS

(6 MONTHS FOR DESIGN) PRIOR TO THIS U.S. APPLICATION: N/A

We hereby claim priority benefits under Title 35, United States Code §119(e), of any United States provisional patent application(s) listed below:

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PAGE 03

Attorney Docket No.: 7450-112

no such U.S. provisional ap		
Application Number	Date of Filing	Priority Claimed Under 35 USC 119
60/470,046	May 13, 2003	x Yes No

CLAIM FOR BENEFIT OF EARLIER U.S./PCT APPLICATION(S)

We hereby claim the benefit under Title 35, United States Code, §120 of the United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, we acknowledge the duty to disclose all information that is material to patentability in accordance with Title 37, Code of Federal Regulations, §1.56 which became available to me between the filing date of the prior application and the national or PCT international filing date of this application:

	no such U.S./PCT applications have been filed.	
x	such U.S./PCT application have been filed as follow	'S:
Pi	CT/U82004/014996	

We hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

We hereby appoint:

Aitomey	Registration No.
Robert Berliner	20,121
Dichard Tun	56,594

all of BERLINER & ASSOCIATES., jointly, and each of them severally, my attorneys at law/patent agent(s), with full power of substitution, delegation and revocation, to prosecute this application, to make alterations and amendments therein, to receive the patent, and to transact all business in the U.S. Patent and Trademark Office connected therewith.

Please mail all correspondence to Robert Berliner, whose address is:

Robert Berliner
BERLINER & ASSOCIATES
555 W. 5TH Street, 31st Floor
Los Angeles, CA 90013

Please direct telephone calls to: Robert Berliner at (213) 533-4171. Please direct facsimiles to: (213) 533-4171

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PAGE 84

Attorney Docket No.: LA-7450-112US

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IN THE UNITED STATES PATENT AND TRADEMARKO OFFICE

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DECLARATION FOR PATENT APPLICATION

As below named inventor, we hereby declare that:

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FOREIGN PRIORITY CLAIM

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x no such foreign applications	USAS DECH HIER
such foreign application have	p been filed as follows:

EARLIEST FOREIGN APPLICATION(S), IF ANY FILED WITHIN 12 MONTHS (6 MONTHS FOR DESIGN) PRIOR TO THIS U.S. APPLICATION; N/A

ALL FOREIGN APPLICATION(S), IF ANY FILED MORE THAN 12 MONTHS (6 MONTHS FOR DESIGN) PRIOR TO THIS U.S. APPLICATION: N/A

CLAIM FOR BENEFIT OF EARLIER U.S. PROVISIONAL APPLICATIONS

We hereby claim priority benefits under Title 35, United States Code, \$119(e), of any United States provisional patent application(s) listed below:

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Attornot: Docket No.: 7450-112

no such U.S. provisional applications have been filed.

such U.S. provisional application have been filed as follows:

		Priority Clasued.
Application Number	Date of Filing	Under 35:USC:1119
		x Yes No
60/470,046	May 13, 2003	

CLAIM FOR BENEFIT OF EARLIER U.S. PCT APPLICATION(S)

We hereby claim the benefit under Title 35, United States Code, §120 of the United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application, in the manner provided by the first paragraph of Title 35, United States Code, §112, we acknowledge the duty to disclose all information that is material to patentability in accordance with Title 37, Code of Pederal Regulations, §1.56 which became available to me between the filing date of the prior application and the national or PCT international filing date of this application:

no such U.S./PCT applications have been filed. such U.S./PCT application have been filed as follows:

PCT/US2004/014996

We hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

We hereby appoint:

Registration No. Attorney 20,121 Robert Berliner 56,594 Richard Tun

all of BERLINER & ASSOCIATES., jointly, and each of them severally my attorneys at law/patent agent(s), with full power of substitution, delegation and respectation, to prosecute this application, to make alterations and amendments therein, to receive the patent, and to transact all business in the U. S. Patent and Trademark Office connected therewith.

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Robert Berliner BERLINER & ASSOCIATES 555 W. 5TH Street, 31st Floor Los Angeles, CA 90013

Please direct telephone calls to: Robert Berliner et (213) 533-4171. Please direct facsimiles to: (213) 533-4171

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